

# BOARD OF LEGAL DOCUMENT PREPARERS

## Meeting Agenda – Monday, March 28, 2016

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 – 10:00 A.M. – Conference Room 109

General Inquiries Call: (602) 452-3378 (Certification and Licensing Division Line)

Members of the Public May Attend Meeting in Person

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For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

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**CALL TO ORDER.....Mary Carlton, Chair**

**1) REVIEW AND APPROVAL OF MEETING MINUTES.....Mary Carlton, Chair**

*1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of January 25, 2016.*

**2) PENDING COMPLAINTS/RENEWAL OF CERTIFICATION.....Division Staff**

*2-A: Review, discussion and possible action regarding Division Director dismissal of complaint numbers 15-L023/15-L024.*

*2-B: Review, discussion and possible actions regarding:*

- i. Complaint regarding complaint numbers 15-L002/15-L003;*
- ii. Renewal of certification involving certificate holders Elizabeth Clements and AZ Document Preparation; and*
- iii. Withdrawal of renewal application involving Arizona Divorce Center, LLC.*

*2-C: Review, discussion and possible actions regarding:*

- i. Complaint numbers 15-L017/15-L018; and*
- ii. Renewal of certification involving certificate holders, Vel Pina and Americana Services.*

*2-D: Review, discussion and possible actions regarding:*

- i. Complaint number 15-L019; and*
- ii. Renewal of certification involving certificate holder, Susan Salas.*

**3) INITIAL CERTIFICATION AND ELIGIBILITY.....Division Staff**

*3-A: Review, discussion and possible action regarding the following applications for initial individual and/or business entity legal document preparer certification:*

1. R.A. Burton & Company, LLC
2. Innovative Legal Document Services, LLC
3. Alicia Krick
4. Suzanne Kyler
5. Preferred Paralegal, LLC
6. Laura Taggart
7. Kayla Thompson
8. Heather Tripp
9. HLT Enterprises, LLC (Heather Tripp)
10. Americas Legal Group, LLC
11. Legal Eagle Document Preparation
12. Andrew Palm
13. Sabrina Lopez
14. Jody Perry
15. Anthony Webber
16. Elizabeth Williams
17. Cindy Prassas
18. Bernadette (Guzman) Barba

**4) RENEWAL CERTIFICATION APPLICATIONS.....Division Staff**

*4-A: Review, discussion and possible action regarding the renewal applications regarding Carla Lief and Carla's Paralegal Services, LLC.*

*4-B: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification:*

1. Carol Aragon-Montgomery
2. Fedelyne Bernabe
3. Julia Blackshear
4. Sandra Bunfill
5. Richard Burton
6. Marius Cailean
7. Janneth Cardenas
8. Aldo Castaneda
9. Rebekah Chapman
10. Deborah Colon-Mateo
11. Jared Daniel
12. Samantha Eckhart
13. Jeffery Esslinger
14. Michele Esslinger

15. Richard Fink
16. Brian Finn
17. Patricia Garvin
18. Tannya Gaxiola
19. Charlote Gerdes
20. Richard Getzen
21. Susan Getzen
22. Jarred Greene
23. Diana Guzman De Pizzaty
24. Miguel Guzman
25. Graciela Herrera
26. Christopher Hill
27. Tamara Hirsch
28. Christopher Hoyt
29. Mary Jo Edel
30. Mary Kortsen
31. Brian Lincks
32. Janet Logan
33. Allen Merrill
34. Darlene Merrill
35. Julia Navarro
36. Bonnie Ogden
37. Matthew Osborn
38. Larry Parks
39. Jodi Phelps
40. Diana Portanova
41. George Preston Parker
42. John Price
43. Oliver Ross
44. Lori Rutledge
45. George Shackelford
46. Michael Shadel
47. Judith Sides
48. Jill Smith
49. Lillian Stephens Murray
50. Patricia Steward
51. Donna Vangury
52. Jane Whitley
53. Lisa Widman
54. Jessica Worley
55. Heather Yearack
56. Karina Morales
57. Michael Pierce
58. Shannon Trezza
59. Gloria Wallace
60. Paris Chacon
61. Victoria King

62. Vanessa Bermudez

4-C: *Review, discussion and possible action regarding the following applications for renewal of business entity legal document preparer certification:*

1. A+ Mail and Business Center, INC
2. A1 Legal Services, LLC
3. A.D. Scott, L.T.D. dba PMG Services
4. Access Legal, LLC
5. Alianza Latina, United/Unidos INT'L
6. Affordable Arizona Divorce, LLC
7. Affordable Estate Planning, LLC
8. Amerimex Taxes & Immigration Services
9. AZ Lien Services, INC
10. Cadden Community Management, INC
11. Certified Legal Document Preparers, LLC
12. City Property Management Company
13. Community Asset Management, LLC
14. Construction Notice Services, INC
15. Continental Recovery Services
16. CS Jefferson Companies, LLC
17. Debra Cassidy, PLLC
18. Dovan Associates, INC
19. Edward M. Osinski, CPA, PC
20. Envision HR, LLC
21. Esslinger Enterprises, LLC dba Deed Resource
22. George Parker CPA, PC
23. GFA Wealth Design, LLC dba Gentry Wealth Management
24. Hispano America Immigration Services, LLC
25. Hoyt & Associates, LLC
26. Kortsen Legal Document Preparation, LLC
27. Laguna Business Services, LLC
28. Latinos Unidos, LLC
29. Legal Docs Pro, LLC
30. Legal Matters, LLC
31. Legal Type Documents
32. Lien Research CORP
33. Life Planning Group, LLC
34. MLS Business Services, LLC
35. Montgomery & Associates, INC
36. My Corporation Business Services, INC
37. National Contractor Services Corporation
38. Northstar Management Group, INC
39. Ogden Services Incorporated
40. Out-of-Court Solutions
41. Paradox Document Preparation Service, LLC
42. Phoenix Success, INC

43. Planned Development Svcs, INC
44. Precision Paralegal Services, LLC
45. Scottsdale Condominium Management, INC
46. Secure Estate Services, LLC
47. Servicios Hispanos
48. The Getzen Group, INC
49. Titan Lien Services, INC
50. Wealth Guardian Legal Documents, PLLC
51. AZ Statewide Paralegal
52. Desert Schools Financial Services, LLC

*4-D: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification and continuing education audit submissions:*

1. Amy Fernandez
2. Doris Fields
3. Susan Fowler
4. Vivian Gallagher
5. Christine Gant
6. David Hoyt
7. Richard Hoyt
8. Elaine Kaufman
9. Warner Lewis III
10. Alejandra Mena
11. Karen Nogle
12. Michael Olsen
13. Edward Osinksi
14. Teri Parcels
15. Debra Parks
16. Linda Shadel
17. Dawn Snead
18. Deborah Yoder
19. Martha Barraza
20. Jacqueline Bosnic
21. Carrie Brown
22. Ank-Kim Doan Pickell
23. Brandon Garcia
24. Erica LeBlang
25. Joyce Rose
26. David Sears
27. Edward Smith

*4-E: Review, discussion, and possible action regarding request to withdraw renewal application for the following certificate holders:*

1. Mitchell Varbel

2. Centro de Progreso, LLC

**5) CERTIFICATION AND ELIGIBILITY .....Division Staff**

*5-A: Review, discussion and possible action regarding the following Business Entity Exemption Requests for the 2015-2017 certification period:*

1. Alianza Latina, United/Unidos INT'L
2. R. A. Burton & Company, LLC
3. Tina Ching Skrocki, LLC
4. Dovon Associates, Inc.
5. HLT Enterprises, LLC
6. Innovative Legal Document Services, LLC
7. Kortsen Legal Document Preparation, LLC
8. Legal Docs Pro, LLC
9. Legal Matters, LLC
10. Legal Type Documents
11. MLS Business Services, LLC
12. Northstar Management Group, INC
13. SRF Enterprises, LLC

**6) RENEWAL CERTIFICATION APPLICATIONS.....Division Staff**

*6-A: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification and continuing education audit submissions:*

1. Grace Elmer
2. Patricia Lewis
3. Melissa Pullins

**CALL TO THE PUBLIC.....Mary Carlton, Chair**

**ADJOURN.....Mary Carlton, Chair**

# **BOARD OF LEGAL DOCUMENT PREPARERS**

**Agenda Summary – Monday, March 28, 2016**

## **1) REVIEW AND APPROVAL OF MEETING MINUTES**

*1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of January 25, 2016.*

A draft of the regular session minutes for the meeting of January 25, 2016, is attached for the Board's review and consideration.

# BOARD OF LEGAL DOCUMENT PREPARERS

Agenda Summary - Monday, March 28, 2016

## 2) PENDING COMPLAINTS/RENEWAL OF CERTIFICATION

*2-A: Review, discussion and possible action regarding the Division Director dismissal regarding complaint numbers 15-L023/15-L024.*

Pursuant to ACJA § 7-201(H)(1)(g)(3), complaints dismissed by the Division Director are CONFIDENTIAL and not a matter of public record. If the Board wishes to address specific details regarding this matter, it is recommended the Board enter Executive Session to discuss matters confidential.

### Complaint Numbers 15-L023/15-L024:

On February 15, 2016, Division Director Wilson dismissed complaint numbers 15-L023/15-L024 without prejudice upon entering a finding that this complaint contains allegations of acts of misconduct or violation, that if true, would not constitute a violation of the statutes, court rules or the applicable section the certificate holder is required to comply with, pursuant to ACJA § 7-201(H)(2)(a)(2)(c). The dismissal was forwarded to the complainant. The complainant did not request Board review of the dismissal.

It is recommended the Board affirm the dismissal.



# **BOARD OF LEGAL DOCUMENT PREPARERS**

**Meeting Agenda – Monday, March 28, 2016**

## **2) PENDING COMPLAINTS/RENEWAL OF CERTIFICATION**

*2-B: Review, discussion and possible actions regarding:*

- i. Complaint regarding complaint numbers 15-L002/15-L003;*
- ii. Renewal of certification involving certificate holders Elizabeth Clements and AZ Document Preparation; and*
- iii. Withdrawal of renewal application involving Arizona Divorce Center, LLC.*

On February 23, 2015, the Division received a complaint against Elizabeth Clements and Arizona Divorce Center, LLC, containing the following allegations:

Complainant alleged that Clements failed to place her name and certification number on documents she prepared, engaged in the unauthorized practice of law, mislead clients about her role and criminally interfered with the custody of children while encouraging perjury and harassment to the detriment of children.

### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Elizabeth Clements and Arizona Divorce Center, LLC have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 15-L002 and 15-L003.

It is further recommended the Board dismiss complaint numbers 15-L002 and 15-L003.

### **Renewal of Certification:**

#### **Elizabeth Clements and AZ Document Preparation**

Based on the recommendation regarding the aforementioned complaint numbers, it is recommended to grant renewal of LDP certification for Elizabeth Clements and AZ Document Preparation.

#### **Arizona Divorce Center, LLC**

Oscar Miller, the owner of Arizona Divorce Center, LLC, has requested his application for renewal of business entity certification be withdrawn due to not having a designated principal.

The Division recommends the Board accept the request made by Mr. Miller and withdraw Arizona Divorce Center, LLC's business renewal application.

# **BOARD OF LEGAL DOCUMENT PREPARERS**

## **Meeting Agenda – Monday, March 28, 2016**

### **2) PENDING COMPLAINTS/RENEWAL OF CERTIFICATION**

- 2-C: *Review, discussion and possible actions regarding:*
- i. Complaint numbers 15-L017/15-L018; and*
  - ii. Renewal of certification involving certificate holders, Vel Pina and Americana Services.*

On September 29, 2015, the Division received a complaint against certificate holder Vel Pina and her business entity Americana Services. The complaint alleged the failure to place names and LDP numbers on several documents as required by the ACJA in a Guardianship case that the “Affidavit’s” and “Orders of Appointment” in the case were incorrectly submitted and the “Motion” was not properly completed.

The matter was investigated and on March 11, 2016, Probable Cause Evaluator Mike Baumstark found probable cause exists for Allegations 1 and 3, but does not exist for Allegation 2.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Vel Pina and Americana Services have not committed the alleged act(s) of misconduct as detailed in Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint numbers 15-L017 and 15-L018.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Vel Pina and Americana Services have committed the alleged act(s) of misconduct as detailed in Allegations 1 and 3 of the Investigation Summary and Allegation Analysis Report in complaint numbers 15-L017 and 15-L018.

It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) for act(s) of misconduct involving ACJA § 7-208((J)(4) by preparing a document without checking the appropriate box for “minor” and ACJA § 7-201(F)(3) for failure to place their name and certification numbers on documents it prepared.

It is further recommended the Board issue a Letter of Concern.

#### **Renewal of Certification:**

##### **Vel Pina**

Vel Pina meets the minimum qualifications for renewal of her LDP certification. Ms. Pina failed to disclose a superior court property tax case in which she was listed as the plaintiff.

The Division recommends renewal of certification for Vel Pina with the following non-disclosure language:

*The Board of Legal Document Preparers ("Board") has concluded its review of your application and determined you have satisfied the eligibility requirements for certification. Although the Board is granting you certification, the Board members have concerns regarding the failure to disclose <insert failure of disclosure>. Lack of diligence is not a quality embraced by the Board or your colleagues in the profession, and may jeopardize your success. The Board and the Division place the highest priority on honesty and candor. Your failure to disclose information on future applications may result in denial of your renewal of certification or disciplinary action.*

#### **Americana Services**

Based on the recommendation regarding the aforementioned complaint numbers, it is recommended to grant renewal of certification for Americana Services.

# **BOARD OF LEGAL DOCUMENT PREPARERS**

**Meeting Agenda – Monday, March 28, 2016**

## **2) PENDING COMPLAINTS/RENEWAL OF CERTIFICATION**

*2-D: Review, discussion and possible actions regarding:*

- i. Complaint number 15-L019; and*
- ii. Renewal of certification involving certificate holder, Susan Salas.*

On September 29, 2015, the Division received a complaint against certificate holder Susan Salas. The complaint alleged that Ms. Salas, while working for “Americana Services” failed to include her name and LDP number on several documents that she prepared in a Guardianship case. The complaint further alleged Ms. Salas improperly prepared the “Affidavits” and “Orders of Appointment” in the case and also failed to complete the “Petition.”

The matter was investigated and on March 11, 2016, Probable Cause Evaluator Mike Baumstark found probable cause exists for Allegations 1 and 3, but does not exist for Allegation 2.

### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Susan Salas has not committed the alleged act(s) of misconduct as detailed in Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint number 15-L019.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Susan Salas has committed the alleged act(s) of misconduct as detailed in Allegations 1 and 3 of the Investigation Summary and Allegation Analysis Report in complaint number 15-L019.

It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) for act(s) of misconduct involving ACJA § 7-208(J)(4) by preparing a document without checking the appropriate box for “minor” and ACJA § 7-201(F)(3) for failure to place appropriate names and certification numbers on prepared documents.

It is further recommended the Board issue a Letter of Concern.

### **Renewal of Certification:**

Based on the recommendation regarding the aforementioned complaint, it is recommended to grant renewal of certification to Susan Salas.

# BOARD OF LEGAL DOCUMENT PREPARERS

## Agenda Summary – Monday, March 28, 2016

### 3) INITIAL CERTIFICATION AND ELIGIBILITY

*3-A: Review, discussion and possible action regarding the following applications for initial individual and/or business entity legal document preparer certification.*

The following applicants have demonstrated that they meet the minimum eligibility requirements for standard certification, the applications are complete and no information has been presented during the background investigation that is contrary to standard certification being granted. Therefore, Staff recommends that initial certification be granted to the following:

1. R.A. Burton & Company, LLC
2. Innovative Legal Document Services, LLC
3. Alicia Krick
4. Suzanne Kyler
5. Preferred Paralegal, LLC
6. Laura Taggart
7. Kayla Thompson
8. Heather Tripp
9. HLT Enterprises, LLC (Heather Tripp)

10. Americas Legal Group submitted an application for standard certification as a business entity and was inadvertently submitted and approved as a renewal application at the November 2015 Board meeting. Americas Legal Group, LLC applied for initial business certification. Mr. Aldo Castaneda is the principal. Americas Legal Group, LLC meets the minimum qualifications to be certified. Mr. Castaneda disclosed a complaint and a couple of civil cases. The complaint was resolved and the civil cases were considered when Mr. Castaneda renewed.

Staff recommends approval of initial certification to Americas Legal Group, LLC.

11. Legal Eagle Document Preparation: Karen Nogle applied for initial legal document preparer certification for her business, Legal Eagle Document Preparation. Ms. Nogle did not pay the application fee. Ms. Nogle has told staff that she will not be sending in the required fee.

Division recommends denial of Legal Eagle Document Preparation's application pursuant to ACJA § 7-201 (E)(2)(c)(1), which requires the Board deny certification if the application fee is not paid.

12. Andrew Palm has applied for initial legal document preparer certification. Mr. Palm met the minimum standards for certification. Mr. Palm had several disclosure issues that delayed his application. Mr. Palm requested that his certification start at the beginning of the 2015-2017 licensing period. This required him to pay an additional \$325.00. The Division has requested payment for the application and has not received it. Mr. Palm said that he would pay upon his

approval by the Board. The Division has reached out to Mr. Palm several times and explained that the Division will be recommending denial of his application.

Staff recommends denial of Andrew Palm's application pursuant to ACJA § 7-201 (E)(2)(c)(1), which requires the Board deny certification if the application fee is not paid.

13. Sabrina Lopez applied for initial legal document preparer certification. Ms. Lopez meets the minimum qualification for certification. Ms. Lopez disclosed two civil cases where she was the plaintiff and a justice court case.

Division recommends approval of initial certification for Sabrina Lopez.

14. Jody Perry applied for initial legal document preparer certification. Ms. Perry meets the minimum qualification for certification. Ms. Perry disclosed a civil debt case, a federal tax lien, a bankruptcy and her divorce.

Staff recommends approval of initial certification for Jody Perry.

15. Anthony Webber has applied for individual initial legal document preparer certification. Mr. Webber meets the minimum qualifications and disclosed some 2009 tax issues. Mr. Webber said that all tax issues with the IRS have been resolved through payment plans. The circumstances of the tax lien and past due bills are the result of family member's illness and are being paid by Mr. Webber.

Mr. Webber also disclosed he had a debt lawsuit that he settled and a couple that expired because of the statute of limitations and their failure to bring a suit timely.

Staff recommends approval of initial certification for Anthony Webber.

16. Elizabeth Williams applied for initial legal document preparer certification. Ms. Williams meets the minimum qualification for certification. Ms. Williams disclosed two civil debt cases that have been adjudicated; and was the plaintiff in a car accident case.

Staff recommends approval of initial certification for Elizabeth Williams.

17. Cindy Prassas applied for individual initial legal document preparer certification. Ms. Prassas meets the minimum qualifications. Ms. Prassas has a website that helps parents of children with Downs Syndrome. There was an Arizona State Bar complaint for the unauthorized practice of law that alleged Ms. Prassas was wrongfully providing legal services to litigants. Division staff reviewed the State Bar complaint and determined that it was likely Ms. Prassas was engaged in the unauthorized practice of law.

Under the "My Services" tab in her website, Prassas states, among other things, she will assist parents at a fraction of the price charged by legal counsel and specifically states her services include "Fil(ing) an application for guardianship." Division asked Ms. Prassas to respond to the allegations, and she said, "The State Bar accepted my explanation, and asked me to sign an MOU

stating that I would not act as an unlicensed attorney in the future... ..I meant to pull my website offline. It will be changed to appropriately represent my role.”

Division staff has explained the parameters of services that can be provided by a legal document preparer. Staff recommends approval of initial certification, but recommends that the certification letter contain the following language:

*The services that may be provided by Legal Document Preparers is specifically described in Arizona Code of Judicial Administration (“ACJA”) § 7-208. A Legal Document Preparer is not permitted to provide legal advice or guidance to individuals. In the event in the future you provide legal advice or guidance or in some other manner violate ACJA § 7-208 et seq. disciplinary action may be taken against your certificate.*

18. Bernadette (Guzman) Barba submitted an application for certification on July 30, 2015. Ms. Barba was previously certified as a legal document preparer from February 28, 2011 until her certification expired on June 30, 2013 and there is no record of complaints against the previous certification. The applicant failed to disclose having filed a 2010 bankruptcy petition, having been the plaintiff in a 2014 civil suit resulting from a motorcycle accident and a 2004 misdemeanor conviction for domestic violence, dismissed after completing diversion, which was disclosed when she was initially certified in 2011. In the course of the investigation, Division staff became aware that the applicant may have continued preparing legal documents uncertified from the time of her certification expiration in June of 2013 to the present; further investigation revealed additional areas of concern.

During the background investigation, staff reviewed records of the U.S. Bankruptcy Court for the District of Arizona and determined that from July 1, 2013 through November of 2015, Ms. Barba acted as the bankruptcy petition preparer in thirty-four Chapter 7 bankruptcy filings and had used her expired legal document preparer certificate number to do so. Rule 2090-2(a) of the Local Rules of the U.S. Bankruptcy Court for the District of Arizona states, “*Only bankruptcy petition preparers, as defined by Bankruptcy Code § 110, who are certified as legal document preparers pursuant to the Rules of the Supreme Court of the State of Arizona are permitted to prepare documents for filing in the United States Bankruptcy Court for the District of Arizona.*” Staff found, and court personnel confirmed, that the applicant’s name, address, and expired certificate number were on the filings. In an interview with staff, Ms. Barba expressly denied having filed any documents in the U.S. Bankruptcy Court for any individuals during the above specified time period.

In addition, in both written and verbal statements throughout the investigation and interview, the applicant acknowledged having prepared superior court probate and family law documents and charging fees for the preparation of those documents, for “well over 100 people” while she was uncertified. Ms. Barba indicated that she had put her expired certificate number on the documents she prepared for her clients, for filing in the Maricopa County Superior Court, but denied believing that it was wrong of her to do so.

Further, the investigation revealed that the applicant has stated she is a *certified* legal document preparer to the Maricopa County Superior Court in connection with her appointment as a Special

Real Estate Commissioner, on her business cards, menu of services, the website for her business entity (Legal DoX by Bernadette), in her biographical statements for Realtor.com and Squareup.com and that she had advertised document preparation services in an advertisement placed in *!Que! Magazine* (November 12, 2015 edition).

Division staff recognizes that the Board's practice has been to allow certification of individuals who may have performed legal document preparation services in situations where the individual, without knowledge of the code, had done so. In the current situation, Ms. Barba not only knew of the requirements but she continued to use her expired certification number and/or represent herself to be a *certified* legal document preparer as follows:

- Multiple U.S. Bankruptcy Court filings using expired certificate number
- Family and Probate Court documents filed with the superior court
- In connection with her appointment as a Special Real Estate Commissioner for Maricopa County Superior Court
- On business cards found advertising in a local restaurant
- On "Menu of Services" posted to her business entity's Facebook page
- On her Legal DoX by Bernadette website
- On her biographical statements for Realtor.com and Squareup.com
- In an advertisement for Legal Dox placed in the November 12, 2015 edition of *!Que! Magazine*

Staff's recommendation is that the Board deny certification to applicant, Bernadette Barba, pursuant to: ACJA § 7-201 (E)(2)(c)(2)(b)(ii) *The applicant...Has committed any act constituting material misrepresentation, omission, fraud, dishonesty or corruption in business or financial matters* for use of an expired certification number in bankruptcy petition preparation and superior court documents and misrepresentation of herself as a certified legal document preparer to the bankruptcy and superior courts as well as the public, while uncertified, and ACJA § 7-202 (E)(2)(c)(2)(b)(xi) *The applicant...Has violated any decision, order, or rule issued by a professional regulatory entity* for violations of Rule 31 of the Arizona Supreme Court Rules and ACJA §7-208 regarding the unauthorized practice of law, and Rule 2090-2(a) of the Local Rules of the U.S. Bankruptcy Court for the District of Arizona requiring all bankruptcy petition preparers to hold active certification as a legal document preparer.



# **BOARD OF LEGAL DOCUMENT PREPARERS**

## **Agenda Summary – Monday, March 28, 2016**

### **4) RENEWAL CERTIFICATION APPLICATIONS**

#### *4-A: Review, discussion and possible action regarding the renewal applications regarding Carla Lief and Carla's Paralegal Services, LLC.*

During the renewal process, Division staff received notice of an ongoing matter in the U.S. Bankruptcy Court for the District of Arizona regarding Ms. Lief and allegations of multiple violations of 11 U.S.C. §110 and the unauthorized practice of law. The documentation provided included minute entries from bankruptcy proceedings in which the certificate holder was the bankruptcy petition preparer. Of those minute entries, one indicated a November 2, 2015 order barring Ms. Lief from performing any document preparation work in Chapter 7 or Chapter 13 cases for the period of one year. Additional court records received, reflect that the certificate holder filed an objection to the November 2<sup>nd</sup> order which was overruled in a December 8, 2015 injunction.

The December 8<sup>th</sup> injunction details examples of Lief's non-compliance with a 2009 bankruptcy court consent order barring her from "preparing motions, responses to motions, objections to claims, responding to Trustee's Recommendation (including but not limited to Amended or Modified Plans), or preparing any type of pleading." The evidence of non-compliance with the 2009 consent order resulted in a November 2, 2015 court order barring Ms. Lief from any document preparation work in Chapter 7 or Chapter 13 cases for the period of one year. The injunction further itemizes multiple violations of the November 2<sup>nd</sup> order, listing several documents filed by Lief in multiple cases between the issuance of the order and the December 8<sup>th</sup> injunction and Ms. Lief's non-compliance with the order with regards to language referencing bankruptcy preparation remaining on her website. Moreover, it was found that Ms. Lief intentionally deceived the court during the November 2<sup>nd</sup> hearing, when she failed to clarify for the court that a telephonic witness, believed by the court to be the debtor in the case, was in fact the debtor's son and that the debtor did not speak English. Ultimately, the injunction enjoins the certificate holder from performing any document preparation work in Chapter 7 or Chapter 13 cases for the period of one year and requires that the December 8<sup>th</sup> order be referenced on the "Bankruptcy" tab of her website.

Division staff interviewed Ms. Lief regarding the matter. With regards to the 2009 Consent Order, the certificate holder stated that she had not realized that the order barred her from preparing the specific documents detailed but also stated that because the order used the language "any type of pleading," it was discounted, as she felt it made no sense as all documents are pleadings. Further Ms. Lief stated that with regards to the November 2, 2015 order of the court prohibiting her from all bankruptcy petition preparation, she did not comply with the order as no written order had ever been signed by the judge. She therefore made an attempt to close out any cases initiated previous to the November 2, 2015 order and any filings done between November 2<sup>nd</sup> and December 8<sup>th</sup> were in the furtherance of that effort.

Staff's review of the certificate holder's file reflected that Ms. Lief has previously received Letters of Concern for complaints received in 2004 and 2007, both containing substantiated allegations of the unauthorized practice of law. These complaints, compounded by the 2009 Bankruptcy Court Consent Order cautioning against the unauthorized practice of law, the evidence of multiple violations of that Consent Order as set forth in the December 8<sup>th</sup> Bankruptcy Court Injunction as well as the violations of the November 2<sup>nd</sup> order barring Lief from preparing bankruptcy documents suggest a concerning history of non-compliance with court rules, codes and orders. Staff considered the seriousness and repetitious nature of the violations, the certificate holder's extensive experience as a legal document preparer, the significance of Ms. Lief's omission/dishonesty with the court during the November 2<sup>nd</sup> proceedings and the certificate holder's failure to accept the wrongfulness of her actions both in current and previous matters.

Staff's recommendation is to deny renewal of certification to both Carla Lief and Ms. Lief's business entity, Carla's Paralegal Services, LLC, pursuant to ACJA § 7-201 (G)(4)(c) "*The board may deny renewal of certification for any of the reasons stated in subsection (E)(2)(c)...*"; ACJA § 7-201 (E)(2)(c)(2)(b)(xi) "*The board may deny certification of any applicant if one or more of the following is found: The applicant or an officer, director, partner, member, trustee, or manager of the applicant: Has violated any decision, order, or rule issued by a professional regulatory entity*" for multiple violations of the unauthorized practice of law as described in the November 2, 2015 order barring and set forth in the December 8, 2015 injunction; and ACJA § 7-201 (E)(2)(c)(2)(b)(xii) "*The board may deny certification of any applicant if one or more of the following is found: The applicant or an officer, director, partner, member, trustee, or manager of the applicant: Has violated any order of a court, judicial officer, administrative tribunal or the board*" for multiple violations of the 2009 U.S. Bankruptcy Court *Order Requiring Bankruptcy Petition Preparer Carl Lief To Comply with 11 U.S.C. §110, 526, 527, 528 and Not to Engage in the Unauthorized Practice of Law* as specified in the minute entry of November 2, 2015, as well as the multiple violations of the November 2, 2015 order barring Ms. Lief from performing any Chapter 7 or 13 document preparation as set forth in the December 8, 2015 *Injunction Against Carla Lief*.

# **BOARD OF LEGAL DOCUMENT PREPARERS**

**Agenda Summary – Monday, March 28, 2016**

## **4) RENEWAL CERTIFICATION APPLICATIONS**

*4-B: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification:*

The following individual certificate holders have submitted applications for renewal of standard certification. The applications are complete, no information has been presented during a background review which is contrary to standard certification being granted and the certificate holders have demonstrated they meet the minimum eligibility requirements for standard certification. It is recommended renewal of standard certification be granted to the following individuals:

1. Carol Aragon-Montgomery
2. Fedelyne Bernabe
3. Julia Blackshear
4. Sandra Bunfill
5. Richard Burton
6. Marius Cailean
7. Janneth Cardenas
8. Aldo Castaneda
9. Rebekah Chapman
10. Deborah Colon-Mateo
11. Jared Daniel
12. Samantha Eckhart
13. Jeffery Esslinger
14. Michele Esslinger
15. Richard Fink
16. Brian Finn
17. Patricia Garvin
18. Tannya Gaxiola
19. Charlotte Gerdes
20. Richard Getzen
21. Susan Getzen
22. Jarred Greene
23. Diana Guzman De Pizzaty
24. Miguel Guzman
25. Graciela Herrera
26. Christopher Hill
27. Tamara Hirsch
28. Christopher Hoyt
29. Mary Jo Edel
30. Mary Kortsen

31. Brian Lincks
32. Janet Logan
33. Allen Merrill
34. Darlene Merrill
35. Julia Navarro
36. Bonnie Ogden
37. Matthew Osborn
38. Larry Parks
39. Jodi Phelps
40. Diana Portanova
41. George Preston Parker
42. John Price
43. Oliver Ross
44. Lori Rutledge
45. George Shackelford
46. Michael Shadel
47. Judith Sides
48. Jill Smith
49. Lillian Stephens Murray
50. Patricia Steward
51. Donna Vangury
52. Jane Whitley
53. Lisa Widman
54. Jessica Worley
55. Heather Yearack

56. Karina Morales has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Morales answered "Yes" on the "Applicant Background Information" section on the LDP individual and business renewal application without providing an affidavit detailing an explanation and/or supporting documents. After various attempts, Ms. Morales provided documentation detailing two civil superior court cases and a bankruptcy case. The bankruptcy case was previously disclosed to the Board. On the first superior court case, Ms. Morales was the defendant in an automobile accident case. The case has since been dismissed and settled. The second superior court case, lists her as a defendant for failing to provide timely payments to a credit card.

Division recommends renewal of LDP certification for Karina Morales.

57. Michael Pierce has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Mr. Pierce checked "Yes" to the background questions and sent an affidavit with accompanying documentation. Mr. Pierce disclosed a domestic violence incident which has been dismissed by the Sedona Magistrate Court.

Division recommends renewal of certification for Michael Pierce.

58. Shannon Trezza has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Trezza disclosed a civil lawsuit in the New Jersey Superior Court with allegations of unauthorized practice of law against her and her company, AZ Statewide Paralegal. Plaintiffs alleged that Ms. Trezza, in her attempt to serve a garnishee, failed to follow the Uniform Enforcement of Foreign Judgments Act and committed the unauthorized practice of law. The case has since been settled and dismissed with prejudice.

Division recommends renewal of LDP certification for Shannon Trezza.

59. Gloria Wallace has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Wallace disclosed a civil lawsuit in the New Jersey Superior Court with allegations of unauthorized practice of law against her and her former employer, AZ Statewide Paralegal. Plaintiffs alleged that Ms. Wallace, in her attempt to serve a garnishee, failed to follow the Uniform Enforcement of Foreign Judgments Act and committed the unauthorized practice of law. The case has since been settled and dismissed with prejudice.

Division recommends renewal of LDP certification for Gloria Wallace.

59. Paris Chacon has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Chacon revealed in her affidavit that her Notary Privileges were suspended by the Secretary of State due to her negligence for not properly notarizing a dissolution of marriage document. The Division contacted Ms. Chacon and discussed her suspension. Division staff and Ms. Chacon agreed to a recommendation that the Board issue a Letter of Concern for the actions resulting in the suspension of her Notary Public.

Division recommends renewal of LDP certification for Paris Chacon and that the Board issue a Letter of Concern to Ms. Chacon for failing to properly notarize a document, act as an impartial witness and executing a false statement.

60. Victoria King has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. King disclosed that she had entered a stipulated agreement with the Department of Justice because she had filed some Bankruptcy documents in an untimely manner. Division called Ms. King and discussed the untimely filing of Bankruptcy documents and the settlement. Division Staff and Ms. King agreed to a recommendation that the Board issue a Letter of Concern for filing documents in an untimely fashion, failing to comply with Court Rules and Practice Requirements and unlawful communications with plaintiffs' counsel.

Division recommends renewal of LDP certification for Victoria King and that the Board issue a Letter of Concern to Ms. King for filing documents in an untimely fashion, failing to comply with Court Rules and Practice Requirements and unlawful communications with plaintiffs' counsel.

61. Vanessa Bermudez has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. In addition to her individual renewal application, Ms. Bermudez submitted a renewal business legal document preparer program application for Centro de Progreso, LLC on July 20, 2015, stating that she was the designated principal as well as the owner. A subsequent background check by the Division revealed that her father, Elias Bermudez Sr. and brother, Elias Bermudez Jr. were the owners of Centro de Progreso and that Ms. Bermudez did not have ownership interest. Ms. Bermudez stated "I am greatly sorry for not providing all the information required for the business license. I was misinformed."

Division recommends renewal of LDP certification for Ms. Bermudez with the following non-disclosure language:

*The Board of Legal Document Preparers ("Board") has concluded its review of your application and determined you have satisfied the eligibility requirements for certification. Although the Board is granting you certification, the Board members have concerns regarding the failure to disclose <insert failure of disclosure>. Lack of diligence is not a quality embraced by the Board or your colleagues in the profession, and may jeopardize your success. The Board and the Division place the highest priority on honesty and candor. Your failure to disclose information on future applications may result in denial of your renewal of certification or disciplinary action.*

# BOARD OF LEGAL DOCUMENT PREPARERS

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## 4) RENEWAL CERTIFICATION APPLICATIONS

*4-C: Review, discussion and possible action regarding the following applications for renewal of business entity legal document preparer certification:*

The following business entities have submitted applications for renewal of standard certification. The applications are complete; no information has been presented during the background which is contrary to renewal certification being granted. The business entities have demonstrated they meet the minimum eligibility requirements for renewal certification. It is recommended the Board grant renewal of standard certification to the following business entities:

1. A+ Mail and Business Center, INC
2. A1 Legal Services, LLC
3. A.D. Scott, L.T.D. dba PMG Services
4. Access Legal, LLC
5. Alianza Latina, United/Unidos INT'L
6. Affordable Arizona Divorce, LLC
7. Affordable Estate Planning, LLC
8. Amerimex Taxes & Immigration Services
9. AZ Lien Services, INC
10. Cadden Community Management, INC
11. Certified Legal Document Preparers, LLC
12. City Property Management Company
13. Community Asset Management, LLC
14. Construction Notice Services, INC
15. Continental Recovery Services
16. CS Jefferson Companies, LLC
17. Debra Cassidy, PLLC
18. Dovan Associates, INC
19. Edward M. Osinski, CPA, PC
20. Envision HR, LLC
21. Esslinger Enterprises, LLC dba Deed Resource
22. George Parker CPA, PC
23. GFA Wealth Design, LLC dba Gentry Wealth Management
24. Hispano America Immigration Services, LLC
25. Hoyt & Associates, LLC
26. Kortsen Legal Document Preparation, LLC
27. Laguna Business Services, LLC
28. Latinos Unidos, LLC
29. Legal Docs Pro, LLC
30. Legal Matters, LLC
31. Legal Type Documents

32. Lien Research CORP
33. Life Planning Group, LLC
34. MLS Business Services, LLC
35. Montgomery & Associates, INC
36. My Corporation Business Services, INC
37. National Contractor Services Corporation
38. Northstar Management Group, INC
39. Ogden Services Incorporated
40. Out-of-Court Solutions
41. Paradox Document Preparation Service, LLC
42. Phoenix Success, INC
43. Planned Development Svcs, INC
44. Precision Paralegal Services, LLC
45. Scottsdale Condominium Management, INC
46. Secure Estate Services, LLC
47. Servicios Hispanos
48. The Getzen Group, INC
49. Titan Lien Services, INC
50. Wealth Guardian Legal Documents, PLLC

51. AZ Statewide Paralegal has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP business. AZ Statewide Paralegal disclosed a civil lawsuit in the New Jersey Superior Court with allegations of unauthorized practice of law against the business, Gloria Wallace and Shannon Trezza (designated principal). Plaintiffs alleged that AZ Statewide Paralegal, in their attempt to serve a garnishee, failed to follow the Uniform Enforcement of Foreign Judgments Act and committed the unauthorized practice of law. The case has since been settled and dismissed with prejudice.

Division recommends renewal of LDP certification for AZ Statewide Paralegal.

52. Desert Schools Financial Services, LLC. ("FS") submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP business. The FS had three non-disclosed civil cases. When asked, FS responded, "With respect to Superior Court in Maricopa County civil case numbers CV2013-007374, CV2014-013091 and CV2014-094437, please note Desert Schools Federal Credit Union is the Named Defendant in CV2014-013091 and CV2014-094337. Desert Schools Financial Services, LLC, is listed as a Defendant but a review of the case docket available online reflects Desert Schools Financial Services, LLC was never served with this case."

Division looked at the three cases and found the FS is a named Defendant in all three civil cases. The cases are the product of normal business activity that larger businesses seem to attract. They are not the product of fraud, dishonesty, omission, misrepresentation or corruption that code is intent of uncovering.



Concerning the three civil cases the cases ending:

- 94437 The plaintiff slipped and fell on a wet floor.
- 013091 FS managed a property that somebody tripped on a curb the case was dismissed without prejudice.
- 007374 included in case because FS may claim interest in real property.

Staff recommends renewal of LDP business entity certification for Desert Schools Financial Services, LLC.

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## 4) RENEWAL CERTIFICATION APPLICATIONS

*4-D: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification and continuing education audit submissions:*

The following individual certificate holders have submitted applications for renewal of standard certification. These individuals were also audited for the continuing education compliance required pursuant to ACJA§ 7-208(G) and (L). The renewal applications are complete, no information has been presented during a background review which is contrary to standard certification being granted and the certificate holders have demonstrated they meet the minimum eligibility requirements for standard certification. The certificate holders have also demonstrated they have completed the required continuing education during the renewal period. It is recommended renewal of standard certification be granted to the following individuals:

1. Amy Fernandez
2. Doris Fields
3. Susan Fowler
4. Vivian Gallagher
5. Christine Gant
6. David Hoyt
7. Richard Hoyt
8. Elaine Kaufman
9. Warner Lewis III
10. Alejandra Mena
11. Karen Nogle
12. Michael Olsen
13. Edward Osinski
14. Teri Parcells
15. Debra Parks
16. Linda Shadel
17. Dawn Snead
18. Deborah Yoder

The following individual certificate holders have submitted applications for renewal of standard certification. These individuals were also audited for the continuing education compliance required pursuant to ACJA§ 7-208(G) and (L). The renewal applications are complete, no information has been presented during a background review which is contrary to standard certification being granted and the certificate holders have demonstrated they meet the minimum eligibility requirements for standard certification. These certificate holders have submitted materials in response to the continuing education audit which are being submitted to the Board for additional review and consideration. In the event the recommendation is to grant with additional language, the following language would be used:

*Continuing Education Remedial Actions*

*Applicant understands that they will provide proof to Division that applicant completed the entire latent CE requirement for years 2014 and 2015 renewal period two months of their renewal date.*

*Additionally, because applicant did not adhere to the Continuing Education requirement, per Arizona Code of Judicial Administration ("ACJA") § 7-208 (L)(2), that applicant be assessed a \$50.00 late fee to be remitted no later than when proof of completed CE requirement is submitted to Division for the 2014-2015 renewal period.*

*Further applicant will need to provide proof to Division that applicant is on track to complete the next renewal period's CE requirement. On or before May 30, 2016, applicant will provide to Division proof of completed continuing education for the May 1, 2015 thru April 30, 2016 period. On or before May 30, 2017, applicant will provide to Division proof of completed continuing education for the May 1, 2016 thru April 30, 2017 period. Hours of CE earned to make up latent CE requirement will not count towards current requirements.*

19. Martha Barraza applied for renewal of her LDP certification. Ms. Barraza has met the minimum standards for her renewal. Ms. Barraza answered "No" that she had met the Continuing Education requirement on her renewal application. Ms. Barraza was asked because she answered "No" to produce her CE to the Division. Ms. Barraza produced 13 hours of CE for the first reporting period and 8 hours for the second reporting period. Subsequently, Ms. Barraza completed an additional three hours of CE. Ms. Barraza is CE compliant if you include the three hours of CE completed after the end of the second reporting period.

Division recommends renewal of certification for Martha Barraza with the Continuing Education Remedial Actions. Staff also recommends:

- Paying the \$50 CE late fee,
- Providing annual proof to Division of CE Compliance within one month after the April 30<sup>th</sup> deadline for the next two year renewal period (for 2016 and 2017).

20. Jacqueline Bosnic has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Bosnic answered "No" to having the required hours of continuing education. Ms. Bosnic was not selected for random audit but rather asked for an audit of her CE by the Division.

Ms. Bosnic was not certified during the May 1, 2013 thru April 30, 2014 first reporting period. Ms. Bosnic had five hours of CE for the May 1, 2014 thru April 30, 2015 second reporting period. Ms. Bosnic made up five hours after the second reporting period ended.

Staff recommends renewal of certification for Jacqueline Bosnic with the Continuing Education Remedial Actions.

21. Carri Brown has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Brown answered "Yes" that she had met the Continuing Education requirement on her renewal application. Ms. Brown was picked in the random audit and produced her CE to Division. Ms. Brown was originally certified July 21,

2014 and only had to produce CE for the second reporting period. The audit showed Ms. Brown completed her CE requirement from June 30 thru July 14, 2015, which is after the April 30, 2015 deadline.

Division recommends renewal of certification for Carri Brown with the Continuing Education Remedial Actions, specifically:

- Paying Division the \$50 CE late fee,
- Providing annual proof to Division of CE Compliance within one month after the April 30<sup>th</sup> deadline for the next two year renewal period (for 2016 and 2017).

22. Ank-Kim Doan Pickell has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Doan Pickell answered “No” that she had met the Continuing Education requirement on her renewal application. Ms. Doan Pickell was audited and produced ten hours of CE with ethics in the first reporting period and eight hours of CE with ethics in the second reporting period. Ms. Doan Pickell needs two hours CE to be compliant.

Ms. Doan Pickell stated, “Since I cannot remember the dates I have attended in 2013 and 2014 conferences, it is a possibility that the activities may be completed outside of the time frames set forth. In the late 2012, my family had a house fire and was dislocated. We have moved into a temporary home and later moved into our house (after rebuilt/semi-finished) in the middle of 2014. Papers may have been lost during the move or misplaced. There is a possibility that I may have not attended the conference during that time since it has been a very traumatic year for my family and myself.” The Division contacted Ms. Doan Pickell and asked if she was planning on completing the two hours and she said she would in the next couple of days.

Division recommends renewal of Ank-Kim Doan Pickell’s certification with Continuing Education remedial actions. Ms. Doan Pickell said she was signed up for ten hours of conference and would also have that completed before April 30, 2016.

23. Brandon Garcia has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Mr. Garcia answered, “Yes” that he had met the CE requirement on his renewal application. Mr. Garcia was picked in the random audit and produced his CE to Division, where the audit showed Mr. Garcia took all of his CE as self-study. Only 50% may be self-study which requires Mr. Garcia to take five more hours of CE that is not self-study. Since Mr. Garcia was initially certified May 19, 2014, he is not required to submit CE for the first reporting period.

Division recommends renewal of Brandon Garcia’s LDP certification with the Continuing Education Remedial Actions.

24. Erica LeBlang has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. LeBlang answered “Yes” that she had met the Continuing Education requirement on her renewal application. Ms. LeBlang was picked in the random audit and produced her CE to the Division. Ms. LeBlang did not produce

any CE for the first or second reporting periods. Ms. LeBlang completed 20.25 hours of CE which included the required Ethics CE during May 2015. If this CE was spread between the two reporting periods, Ms. LeBlang would be compliant.

Division recommends renewal of certification for Erica LeBlang with the Continuing Education Remedial Actions. Staff also recommends:

- Paying Division the \$50 CE late fee,
- Providing annual proof to Division of CE Compliance within one month after the April 30<sup>th</sup> deadline for the next two year renewal period (for 2016 and 2017)

25. Joyce Rose applied has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Ms. Rose answered “Yes” that she had met the Continuing Education requirement on her renewal application. Ms. Rose was picked in the random audit and produced her CE to the Division. Ms. Rose was originally certified January 26, 2015 and only had to produce CE for the second reporting period. The audit showed Ms. Rose completed nine hours CE which included an hour of ethics. Ms. Rose still needs to complete an additional hour of CE.

Division recommends renewal of certification for Joyce Rose with the Continuing Education Remedial Actions, specifically:

- Finishing the last hour of CE,
- Paying Division the \$50 CE late fee,
- Providing annual proof to the Division of CE Compliance within one month after the April 30<sup>th</sup> deadline for the next two year renewal period (for 2016 and 2017).

26. David Sears has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Mr. Sears answered “Yes” that he had met the Continuing Education requirement on his renewal application. Mr. Sears was picked in the random audit and produced his CE to the Division. Mr. Sears did not produce any CE for the first reporting period, but in the second reporting period produced 20.25 hours of CE. The CE was a mix of “On Demand” and Web Live as well as five hours of self-study. If this CE was spread between the two reporting periods, Mr. Sears would be CE compliant.

Division recommends renewal of certification for David Sears with the Continuing Education Remedial Actions, because he completed all of his CE in the second reporting period specifically:

- Paying Division the \$50 CE late fee,
- Providing annual proof to the Division of CE Compliance within one month after the April 30<sup>th</sup> deadline for the next two year renewal period (for 2016 and 2017).

27. Edward Smith has submitted an application for renewal of standard certification and meets the minimum eligibility requirements for renewal as an LDP. Mr. Smith answered “Yes” that he had met the Continuing Education requirement on his renewal application. Mr. Smith was picked

in the random audit and produced his CE to Division. Mr. Smith produced 11.5 hours CE for the first reporting period, and produced 10 hours of CE in the second reporting period. The CE was all audio self-study. Division talked with Mr. Smith, who is willing to put his 10 hours of 2016 conference towards the renewal and make up the ten hours with “On Demand” CE before May.

Division recommends renewal of certification for Edward Smith with the Continuing Education Remedial Actions. Mr. Smith completed all of his CE, if Staff uses Mr. Smith’s 2016 conference. Mr. Smith would be required to:

- Paying Division the \$50 CE late fee,
- Provide annual proof to Division of CE Compliance within one month after the April 30<sup>th</sup> deadline for the next two year renewal periods (for 2016 and 2017).

# **BOARD OF LEGAL DOCUMENT PREPARERS**

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## **4) RENEWAL CERTIFICATION APPLICATIONS**

*4-E: Review, discussion, and possible action regarding request to withdraw renewal application for the following certificate holders:*

1. Mitchell Varbel
2. Centro de Progreso, LLC

1. Mitchell Varbel, due to medical and health issues has requested his LDP renewal application to be withdrawn.

The Division recommends the Board accept Mr. Varbel's request to withdraw his LDP renewal application.

2. Elias Bermudez, the owner, has requested his renewal business application be withdrawn due to not having a designated principal.

The Division recommends the Board accept Mr. Bermudez's request and withdraw Centro de Progreso's business renewal application.

# **BOARD OF LEGAL DOCUMENT PREPARERS**

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## **5) CERTIFICATION AND ELIGIBILITY**

*5-A: Review, discussion and possible action regarding the following Business Entity Exemption Requests for the 2015-2017 certification period:*

1. Alianza Latina, United/Unidos INT'L
2. R. A. Burton & Company, LLC
3. Tina Ching Skrocki, LLC
4. Dovan Associates, Inc.
5. HLT Enterprises, LLC
6. Innovative Legal Document Services, LLC
7. Kortsen Legal Document Preparation, LLC
8. Legal Docs Pro, LLC
9. Legal Matters, LLC
10. Legal Type Documents
11. MLS Business Services, LLC
12. Northstar Management Group, INC.
13. SRF Enterprises, LLC

Staff recommends that Business Entity Exemptions be granted to above-named applicants.



# **BOARD OF LEGAL DOCUMENT PREPARERS**

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### **6) RENEWAL CERTIFICATION APPLICATIONS**

*6-A: Review, discussion and possible action regarding the following applications for renewal of individual legal document preparer certification and continuing education audit submissions:*

1. Grace Elmer applied for renewal of her LDP certification. Ms. Elmer has met the qualifications for her renewal. Ms. Elmer answered “No” that she had not met the Continuing Education requirement on her renewal application. Ms. Elmer was audited and produced her CE to Division. Ms. Elmer just became a new LDP on November 24, 2014. Her CE was due by April 30, 2015, just five months later. Ms. Elmer completed only one hour of Ethics CE timely. At the end of June 2015, she completed another 9.75 hours of self-study. The 9.5 hours are all an Interactive, computer based CE courses West Law training given by West Legal Ed Center, a subsidiary of Thomas Reuters. Staff called the MCLE committee of the State Bar of Arizona and talked with Mona, who said the Arizona State Bar accepts this training as live training/same as attending a conference.

The Board at the January 25, 2016 meeting approved “On Demand” because Ms. Elmer lives in Prescott Valley and has small children which makes it hard to get away, the Board granted a telephonic conference with Ms. Elmer at the March 28, 2016 meeting.

Staff recommends renewal of Grace Elmer’s certification. Because the majority of the classes were completed after the reporting period ended, Staff also recommends the CE remedial actions.

2. Patricia Lewis applied for renewal of her LDP certification. Ms. Lewis meets the eligibility requirements for her renewal. Ms. Lewis was randomly picked to be audited for her CE and was originally found to be ten hours deficient because all of her CE was self-study. All of Ms. Lewis’ CE was timely completed. Ms. Lewis was asked to attend the January 25, 2016 Board meeting. At that meeting, Staff requested on behalf of Ms. Lewis, and the Board granted a telephonic appearance at the March 28, 2016 Board meeting.

During the January 25, 2016 meeting, it was determined that “On Demand” classes were to be considered the same as going to a conference. Ms. Lewis’ classes were all “On Demand” except she had a 6.5 hour “2012 Advanced Issues in Probate and Estate Planning” class from the Arizona State BAR that was a “CLE2Go (Audio Download).” It was explained to Ms. Lewis and she completed a one hour “On Demand” CE the next day.

Staff recommends renewal of Patricia Lewis’ certification with the CE remedial actions.

3. Melissa Pullins lives in the state of Texas and states that it would a hardship for her to personally attend this board meeting and is requesting that she be permitted to telephonically attend the May 23, 2016.